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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/603,901.	10/16/2003	Cheng-Chieh Chuang	39524.6900	4884

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EXAMINER

BLOUIN, MARK S

ART UNIT	PAPER NUMBER
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2653

DATE MAILED: 01/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/603,901	Applicant(s) CHUANG ET AL.	
	Examiner Mark Blouin	Art Unit 2653	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |  |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____  |

**Detailed Action**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Omori et al (USPN 6,650,609).

3. Regarding Claims 1,6,11, and 16, Omori et al shows (Fig. 16), a disc data reading apparatus comprising a housing (6) having an opening, the opening defining a front edge (See Examiner's Drawing) and the front edge extending to form a protrusion (See Examiner's Drawing), and a panel (60), the panel being selectively connected to the front edge (See Examiner's Drawing), the panel including a first surface (See Examiner's Drawing) corresponding to the protrusion, wherein a force existing between the protrusion and the first surface limits relative displacement between the panel and the front edge for preventing a cracked disc flying out of the disc data reading apparatus.

4. Regarding Claims 2,7,12, and 17, Omori et al shows (Fig. 16), the apparatus, wherein the panel further comprises a depression, the first surface being a side-wall of the depression, as the housing is connected to the panel, the protrusion is received within the depression (See Examiner's Drawing).

5. Regarding Claims 3,8,13, and 18, Omori et al shows (Fig. 16), the apparatus, wherein the housing further comprises a stopper, connected to the front edge and extending downward from the front edge, for blocking the cracked disc (See Examiner's Drawing).

6. Regarding Claims 4,9,14, and 19, Omori et al shows (Fig. 16), the apparatus, further comprising a tray (2) and a chassis (14), the tray including a support point (Col 17, lines 1-20), as the disc becomes cracked, the support point touches against the chassis and receives a reaction force limiting relative displacement between the tray and the chassis.

7. Regarding Claims 5,10,15, and 20, Omori et al shows (Fig. 16), the apparatus, further comprising a tray and chassis, the chassis including a support point (Col 17, lines 1-20), as the disc becomes cracked, the support point touches against the tray and receives a reaction force limiting relative displacement between the tray and chassis.

### ***Conclusion***

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark Blouin whose telephone number is (703) 305-5629. The examiner can normally be reached M-F, 6:00 am – 3:30 pm.

If attempts to reach the examiner by telephone are unsuccessful the examiner's supervisor, William Korzuch can be reached at (703) 305-6137. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9314 for regular and After Final communications.

Any inquiry of general nature or relating to the status of application or proceeding should be directed to the receptionist whose telephone number is (703) 306-0377.

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Mark Blouin

Patent Examiner

Art Unit 2653

January 21, 2005

A. J. HEINZ  
PRIMARY EXAMINER  
GROUP ~~2653~~ A.U. 2653

*A. J. Heinz*